

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

BOYD C. HARDY,

Plaintiff,

v.

THE BURLINGTON NORTHERN  
AND SANTA FE RAILWAY  
COMPANY, a Delaware corporation,

Defendant.

NO. CV-04-5090-RHW

**ORDER DISMISSING CASE AND  
CLOSING FILE**

Before the Court is the parties' Stipulation of Dismissal (Ct. Rec. 25). The parties request that the above-captioned case be dismissed with prejudice and without cost to either party.

Accordingly, **IT IS HEREBY ORDERED:**

1. The parties' Stipulation of Dismissal (Ct. Rec. 25) is **GRANTED**.
2. The above-captioned case is **DISMISSED**, with prejudice and without cost to either party.

**IT IS SO ORDERED.** The District Court Executive is hereby directed to enter this order, provide copies to counsel, and **close** the file.

**DATED** this 28<sup>th</sup> day of October 2005.

s/ ROBERT H. WHALEY  
Chief United States District Judge

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